

There is a different way to lead. In the last 2 years of George W. Bush's term, Democrats came into the majority. Some thought we would slow up his judges. We did not. I served as chairman of the Judiciary Committee during those last 2 years of President George W. Bush's administration and we confirmed 68 district and circuit court judges during that time. In fact, by this time in the seventh year of the Bush administration, the Democratic-controlled Senate had confirmed 21 judges—including 18 district and 3 circuit court judges. Compare that to this seventh year of the Obama administration under Republican control, in which the Senate has thus far confirmed just four district court judges this year. Just four. Now this is outrageous. It hurts. It politicizes the Federal bench. It hurts the rules of law in this country.

So under a Democratic majority with a Republican President, we confirmed five times more judges than the Senate Republican majority has allowed under their control of the Senate for a Democratic President. The disparity of treatment is clear, and it is wrong. Incidentally, that is the same way we did it when Democrats took over control of the Senate during the last 2 years of President Reagan's term. We moved judges at a much faster pace than anything Republicans have allowed us to do under President Obama. This is wrong. This is petty partisanship that hurts our independent judiciary. We are not asking for anything special but we are saying it would be nice if Republicans treated Democrats the same way we treated them.

We should also not forget the rising number of judicial vacancies in our Federal courts. At the start of this Congress, there were 44 vacancies, including 12 vacancies deemed "judicial emergencies" by the nonpartisan Administrative Office of the U.S. Courts. That number has climbed to 63 vacancies, including 27 "judicial emergency" vacancies on our district and circuit courts. The vast majority of these vacancies are concentrated in States with at least one Republican home State Senator. Of particular concern are four circuit court "judicial emergency" vacancies: two in Texas, one in Alabama, and one in Kentucky. Each vacancy has been left open for well over a year, including one in Texas that has remained vacant for almost 3 years.

All Senators know that it is our constitutional duty to provide advice and consent on judicial nominees. When it comes to filling vacancies on the Federal courts in our State, we have unique insight into our States' legal communities to share with the President before he makes a nomination. Americans expect us to do our jobs and in the Senate that includes ensuring their access to the Federal courts. I urge all Senators to work with the President to fill the growing number of judicial vacancies in their States.

We will at least make some small progress today as we finally take up Ms. Farnandez Stoll's nomination. Her extensive experience on issues that come before the Federal Circuit will serve the court well. She is currently a partner at Finnegan, Henderson, Farabow, Garrett and Dunner, a law firm specializing in intellectual property law. Ms. Farnandez Stoll also teaches as an adjunct professor at George Mason University Law School. Before practicing law, Ms. Farnandez Stoll was a patent examiner in the U.S. Patent and Trademark Office. Ms. Farnandez Stoll received her B.S. in electrical engineering from Michigan State University in 1991 and her J.D. from Georgetown University Law School in 1997. Upon graduating from law school, she served as a law clerk to Federal Circuit Judge Alvin Schall. I trust that her background and the reputation she has earned in the legal community will serve her well as she begins this new chapter.

I congratulate Ms. Farnandez Stoll on what I expect will be her successful, albeit long overdue, confirmation. I urge the Senate leadership to act responsibly by scheduling votes for the other 11 uncontroversial judicial nominees still pending on the Executive Calendar.

I yield the floor.

#### EXECUTIVE SESSION

#### NOMINATION OF KARA FARNANDEZ STOLL TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Kara Farnandez Stoll, of Virginia, to be United States Circuit Judge for the Federal Circuit.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Kara Farnandez Stoll, of Virginia, to be United States Circuit Judge for the Federal Circuit?

Mr. LEAHY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from Ohio (Mr. PORTMAN), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote "yea."

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 221 Ex.]

YEAS—95

Alexander	Fischer	Murray
Ayotte	Franken	Nelson
Baldwin	Gardner	Paul
Barrasso	Gillibrand	Perdue
Bennet	Graham	Peters
Blumenthal	Grassley	Reed
Blunt	Hatch	Reid
Booker	Heinrich	Risch
Boozman	Heitkamp	Roberts
Boxer	Heller	Rounds
Brown	Hirono	Sanders
Burr	Hoeven	Sasse
Cantwell	Inhofe	Schatz
Capito	Isakson	Schumer
Cardin	Johnson	Scott
Carper	Kaine	Sessions
Casey	Kirk	Shaheen
Cassidy	Klobuchar	Shelby
Coats	Lankford	Stabenow
Cochran	Leahy	Sullivan
Collins	Lee	Tester
Coons	Manchin	Thune
Corker	Markey	Tillis
Cornyn	McCain	Toomey
Cotton	McCaskill	Udall
Crapo	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	

NOT VOTING—5

Cruz	King	Rubio
Flake	Portman	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Nebraska.

#### MORNING BUSINESS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LOCAL GOVERNANCE IN EDUCATION

Mrs. FISCHER. Mr. President, this summer parents across the country will be preparing their children for the coming school year. Whether unwinding on a family break, purchasing school supplies, returning summer reading books to the library or finishing summer camp, it will almost be time to go back to school.

We owe so much to our hard-working educators. They are the role models for our children who provide invaluable